

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP NO.16965 of 2006

DATE OF DECISION: October 27, 2006

Aditya Singal

....Petitioner

VERSUS

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S. BHALLA

PRESENT: Shri Sanjiv Bansal, Advocate for the petitioner.

Viney Mittal,J.(Oral).

The petitioner has approached this Court for issuance of appropriate directions to the respondents to allot paddy for custom milling equivalent to the determined milling capacity of the petitioner i.e. 4 tons in terms of the memo dated October 11, 2006 (Annexure P.3.). Additionally, the petitioner has also challenged the communication dated October 13, 2006 (Annexure P.4) whereby the allotment of paddy has been declined by the Punjab State Warehousing Corporation. According to the petitioner, the aforesaid communication is contrary to the milling policy of kharif 2006-07 for paddy stocks (Annexure P.1).

During the course of arguments, the learned counsel appearing for the petitioner has specifically placed reliance upon clause 8 (c) of the policy (Annexure P.1) to contend that paddy procured by the agencies was required to be equitably distributed

amongst all the eligible rice mills at a particular center for the purpose of custom milling on the basis of their milling capacity.

Shri Sanjiv Bansal, the learned counsel appearing for the petitioner has stated that the petitioner would be satisfied if the present petition is disposed of with a direction to respondent No.3, Deputy Director (Field) Food, Civil Supplies and Consumer Affairs, Patiala Zone, Patiala to consider the claim made by the petitioner and take a decision thereupon, in accordance with the aforesaid milling policy.

In view of the stand taken by the learned counsel for the petitioner, we dispose of the present petition with a liberty to the petitioner to file a detailed and comprehensive representation before respondent No.3, Deputy Director (Field) Food, Civil Supplies and Consumer Affairs, Patiala Zone, Patiala within a period of seven days from the date a certified copy of this order is received. On receipt of the aforesaid representation, the said respondent shall take a final decision on the said representation within a further period of 10 days, by passing a detailed and speaking order.

A copy of the order be given dasti on payment of usual charges.

(Viney Mittal)
Judge

October 27, 2006
KD

(H.S. Bhalla)
Judge